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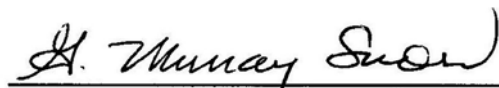
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1 On October 22, 2009, Plaintiff renewed her Motion to Remand, arguing that because
2 she and Mr. Hanley are both Arizona residents, the Court is now without jurisdiction to hear
3 this case. In their timely response, Defendants moved to dismiss Mr. Hanley from this case.
4 As of December 2, 2009, Plaintiff has failed to file an answering memorandum to
5 Defendants' Motion to Dismiss. Plaintiff has not filed a reply to Defendants' response, nor
6 has she filed a responsive memorandum to the Motion to Dismiss. When Defendants filed
7 their Motion, Local Rule 7.2(c) provided that "[t]he opposing party shall . . . have ten (10)
8 days after service in a civil or criminal case within which to serve and file a responsive
9 memorandum" to a Motion to Dismiss.¹ Therefore, as of December 8, 2009, Plaintiff has not
10 filed a timely answering memoranda to the Motion Dismiss, nor has she sought extensions
11 of time to do so. Under the Local Rules, Plaintiff's failure "may be deemed a consent to the
12 denial or granting of the motion[.]" See LRCiv. 7.2(I). In the instant case, summary dismissal
13 of Mr. Hanley from this case could defeat Plaintiff's Motion to Remand.

14 **IT IS THEREFORE ORDERED** that Plaintiff shall file and serve an answering
15 memorandum to Defendants' Motion to Dismiss before **5:00 p.m. on December 18, 2009**.
16 Should Plaintiff fail to comply, the Court may deem Plaintiff's failure to oppose the Motion
17 as a waiver, and may grant the Motion on that basis.

18 DATED this 8th day of December, 2009.

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21 G. Murray Snow
22 United States District Judge
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27 ¹On December 1, 2009, Local Rule 7.2(c) was amended to allow fourteen (14) days
28 to respond to a 12(b)(6) motion. See LRCiv. 7.2(c).